

REMARKS

The above amendments and these remarks are responsive to the Office action dated August 25, 2004. Claims 1-28 are pending in the application. In the Office action, the Examiner rejected claims 1, 4, 5, 7-21, and 23-26 under 35 U.S.C. § 102(b) as being anticipated by Suarez (U.S. Patent No. 3,968,981). Claims 2, 3, 6, 22, 27, and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. In view of the amendments above, and the remarks below, applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Rejected Claims

Claims 1, 4, 5, and 7-18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Suarez. Applicant respectfully traverses this rejection. In order to anticipate a claim, a reference must disclose each and every element recited in the claim. *In re Spada*, 911 F.2d 705, 708 (Fed. Cir. 1990).

Applicant respectfully submits that Suarez fails to disclose a removable insert included in the socket portion, as recited by amended claim 1, from which claims 4, 5, and 7-18 depend. Specifically, nut 14 of the trailer ball and socket hitch in Suarez is located on the side of tongue 10 opposite ball 13, and consequently opposite adaptor 20. Adaptor 20 and nut 14 therefore do not form a socket portion including a separately manufactured removable insert. Applicant has further clarified this distinction by amending claim 1 to recite "a separately manufactured removable insert positioned at least partially within the socket portion." Moreover, Suarez fails to disclose urging the operative surface of the plug portion into contact with the ends of the protrusions. In Suarez, ball 13 rests between the fingers and it is the inner surface of each finger

22 that contacts ball 13, rather than the ends 23 of the fingers. Col. 2, ll. 17-39. Thus, since claim 1 recites at least the aforementioned elements not disclosed by Suarez, the reference does not and cannot anticipate the movable toy recited in claim 1. For at least these reasons, applicant respectfully requests the withdrawal of the rejection of claim 1 under 35 U.S.C. § 102(b). Claims 4, 5, and 7-18 depend from and further limit claim 1 and thus should be allowed when amended claim 1 is allowed.

Claims 19-21 and 23-25 also stand rejected under the Suarez reference. Applicant respectfully submits that Suarez fails to disclose a socket portion including a removable insert positioned at least partially within the socket portion and adapted to maintain the plug portion in frictional engagement with the socket portion. As previously noted, nut 14 in Suárez is spaced away from adaptor 20 and therefore cannot be positioned at least partially within the socket portion. Thus, since claim 19 recites at least the aforementioned elements not disclosed by Suarez, the reference does not and cannot anticipate the movable toy recited in claim 19. For at least this reason, applicant respectfully requests the withdrawal of the rejection of claim 19 under 35 U.S.C. § 102(b). Claims 20-21 and 23-25 depend from and further limit claim 19 and thus should be allowed when amended claim 19 is allowed.

Claim 26 also stands rejected under the same reference. Applicant respectfully submits that Suarez fails to disclose a joint in which a socket assembly includes a removable insert that is positioned at least partially within the socket assembly. As previously discussed, nut 14 in Suarez is spaced away from socket 20 and therefore cannot be positioned at least partially within the socket assembly. For at least this reason, applicant respectfully requests the withdrawal of the rejection of claim 26 under 35 U.S.C. § 102(b).

Objected to Claims

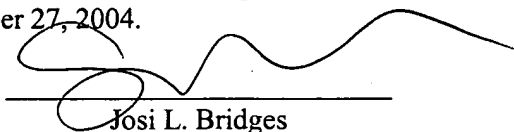
Applicant thanks the Examiner for the indication that claims 2, 3, 6, 22, 27, and 28 would be allowable if rewritten in independent form. Consequently, new claims 29, 30, 33, 35, 37, and 38 correspond to original claims 2, 3, 6, 22, 27, and 28, rewritten into independent form. New dependent claims 31, 32, 34, 36 and 38 have been added to further define the removable insert.

The specification and claims 11-15, 17-18, and 24-25 have been amended to replace the term "head" with the term "operative surface." Applicant has made this amendment to prevent any confusion that may result in using the term "head" for both the head of the doll as a whole and the operative surface of the plug portion in the disclosed joint.

Applicant believes that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

CERTIFICATE OF MAILING

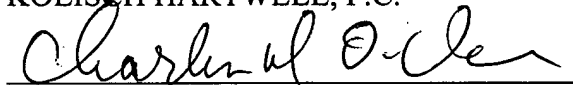
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on December 27, 2004.



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Respectfully submitted,

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